

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

MICHAEL J. FOX,

Defendant.

~~Proposed~~
ORDER

21 Cr. 182 (CM)

WHEREAS, the Court has referred to the Magistrate Judge on duty the change-of-plea proceeding (the "Proceeding") for defendant Michael J. Fox, to be scheduled for early January 2022;

WHEREAS, the Court has authorized the use of videoconferencing (or teleconferencing, if video is not reasonably available) for felony pleas under Rule 11 of the Federal Rules of Criminal Procedure, having specifically found that Rule 11 felony pleas cannot in all instances be conducted in person without seriously jeopardizing public health and safety, *see In re: Coronavirus/Covid-19 Pandemic*, M10-468 (LTS) (Dec. 14, 2021);

WHEREAS, the defendant has consented to the use of videoconferencing (or teleconferencing, if video is not reasonably available) for the Proceeding;

WHEREAS the ongoing COVID-19 pandemic necessitates that the proceeding take place remotely;

THE COURT HEREBY FINDS that because the defendant has consented to proceeding remotely, and for the reasons set forth in the parties' letter of December 30, 2021, the Proceeding cannot be further delayed without serious harm to the interests of justice.

Accordingly, IT IS HEREBY ORDERED that the Proceeding, to be scheduled for early January 2022, shall be conducted before the duty Magistrate Judge by videoconferencing, or teleconferencing, if video is not reasonably available.

SO ORDERED:

Dated: New York, New York
January 3, 2022

A handwritten signature in black ink, appearing to read "Colleen McMahon", written over a horizontal line.

THE HONORABLE COLLEEN MCMAHON
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK